



TASMANIA

RACING AND GAMING AMENDMENT ACT 1995

No. 108 of 1995

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RACING AND GAMING AMENDMENT ACT 1995

No. 108 of 1995

AN ACT to amend the *Racing and Gaming Act 1952*

[Royal Assent 8 December 1995]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Racing and Gaming Amendment Act 1995*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Racing and Gaming Act 1952** is referred to as the Principal Act.

Section 3 amended (Interpretation)

4—Section 3 of the Principal Act is amended as follows:—

(a) by inserting the following definition after the definition of “Board”:—

“**betting competition**” means a competition that involves betting on a contingency relating to any of the following:—

(a) an actual or simulated horse race, greyhound race or other race involving animals or teams or groups of animals;

(b) an actual or simulated race between human or mechanical competitors or between teams or groups of human or mechanical competitors;

(c) an actual or simulated sport, game, fight, exercise or pastime, whether involving individual competitors or participants or teams or groups of competitors or participants;

(b) by inserting the following definition after the definition of “rules”:—

“**simulated**” includes simulated by electronic or mechanical means;

Section 57EA inserted

5—After section 57E of the Principal Act, the following section is inserted:—

* No. 98 of 1952. For this Act, as amended to 1975, see Appendix D to the Annual Volume of Statutes of 1974. Subsequently amended by No. 71 of 1975, No. 85 of 1976, No. 104 of 1977, No. 54 of 1978, Nos. 19 and 73 of 1979, No. 90 of 1980, Nos. 9, 10 and 99 of 1982, Nos. 40 and 83 of 1983, Nos. 29 and 36 of 1984, Nos. 51, 89 and 123 of 1985, Nos. 13 and 31 of 1986, Nos. 39, 42 and 86 of 1987, Nos. 1 and 48 of 1988, No. 32 of 1989, Nos. 5, 22 and 40 of 1990, Nos. 39 and 40 of 1991, No. 37 of 1992, Nos. 53, 54, 55, 93, 94 and 99 of 1993, Nos. 32, 68, 70 and 91 of 1994 and Nos. 52, 71 and 82 of 1995.

Power to enter into other business agreements, &c.

57EA—(1) In this section, “**core business**” means the functions and powers that the Board is authorised to perform and exercise under section 57E.

(2) The Board may, with the written authority of the Minister and the Treasurer, enter into business agreements and arrangements of a kind not authorised under section 57E.

(3) The Minister and the Treasurer must not authorise the Board to enter into a business agreement or arrangement pursuant to subsection (2) unless the Minister and the Treasurer are satisfied that the proposed business agreement or arrangement—

- (a) is related in some way to the Board’s core business; and
- (b) is reasonably likely to do one or more of the following:—
 - (i) benefit the promotion of the Board’s core business;
 - (ii) improve the efficiency or effectiveness of any service or facility provided by the Board as part of its core business;
 - (iii) create an opportunity for the Board to expand its core business;
 - (iv) enable the Board to participate in a scheme or arrangement in conjunction with a body outside Tasmania that has similar functions to the Board, to the benefit of its core business;
 - (v) enable the Board to improve its managerial, administrative or technological efficiency or effectiveness.

Section 83 amended (Application of Part VI)

6—Section 83 (1) of the Principal Act is amended by omitting paragraph (e) and substituting the following paragraph:—

- (e) a tipping competition in which the outcome or occurrence of a sporting event is tipped—
 - (i) where the total contributions do not exceed \$10 000, a participant does not contribute more than \$100 and the total sum contributed, without any deduction, is distributed as prizes in money or money's worth; or
 - (ii) where the competition is conducted by, or for the benefit of, a charitable, sporting or other community organisation approved by the Commission, and the rules and conditions of the competition, including the distribution of the total sums contributed, are determined or approved by the Commission.

Section 83A inserted

7—After section 83 of the Principal Act, the following section is inserted:—

Power of Commission to determine, &c., rules and conditions of tipping competitions

83A—The Commission may—

- (a) approve a charitable, sporting or other community organisation for the purposes of section 83 (1) (e) (ii); and
- (b) determine or approve the rules and conditions of tipping competitions referred to in section 83 (1) (e) (ii).

*[Second reading presentation speech made in:—
House of Assembly on 14 November 1995
Legislative Council on 15 November 1995]*

